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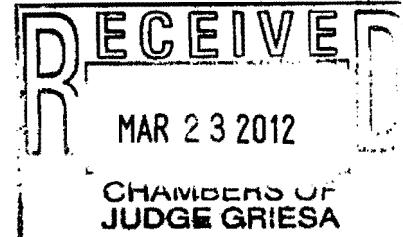
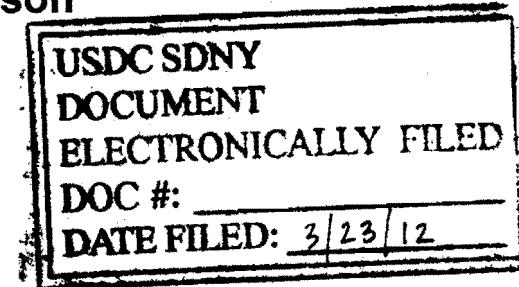
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March 22, 2012

By e-mail to: erin\_smith@nysd.uscourts.gov (2 pages)

Hon. Thomas P. Griesa, U.S.D.J.  
 Southern District of New York  
 Daniel Patrick Moynihan  
 United States Courthouse  
 500 Pearl St.  
 New York, NY 10007-1312



Re: *Hypoxico, Inc. v. Colorado Altitude Training, LLC, et al.*  
 S.D.N.Y. 01:02-cv-6191 (TPG)

Dear Judge Griesa:

As you may recall, I, along with my co-counsel Alan Tenenbaum, Esq., represent Hypoxico, Inc. ("Hypoxico"), the plaintiff in the above-captioned patent infringement case, in which the jury returned a verdict of infringement on February 10, 2012, January 30, 2012. The defendants are Colorado Altitude Training, LLC ("CAT") and its founder, Mr. Lawrence Kutt ("Mr. Kutt").

There are currently pending two post-trial motions, Hypoxico's Motion for an Injunction, Pre-Judgment Interest and an Accounting ("Hypoxico's Motion") and CAT's Motion for JMOL or, in the alternative a New Trial, or Remittur ("CAT's Motion"). The parties have negotiated and agreed upon the following dates for the remaining papers to be filed in respect of these motions, and request the Court's approval thereof:

- Fri. 3/30: CAT files its opposition (if any) to Hypoxico's Motion
- On or before Mon. 4/9: Hypoxico files any opposition to CAT's Motion
- On or before Mon. 4/16: Hypoxico files any reply to CAT's Opposition to Hypoxico's Motion
- On or before Thurs. 4/26 (or 17 days following Hypoxico's filing of its opposition to the Defendants' Motion, whichever comes first): CAT files its reply papers

Counsel for the Defendants, Joseph Abraham, Esq., has consented to these dates.

*Approved.*  
*Thomas P. Griesa*  
*3/23/12*

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The parties hereby jointly request early consideration and approval of these dates.

Sincerely,

THE LAW OFFICES OF ROGER S. THOMPSON



Roger S. Thompson (RT 2117)

Cc: Joseph Abraham, Esq. (by e-mail)  
Alan Tenenbaum, Esq. (by e-mail)